

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

AYISHA LOUISE DAOUD, <i>et al.</i> ,)	CASE NO. 1:13 CV 938
)	
Plaintiffs,)	JUDGE CHIEF SOLOMON OLIVER, JR.
)	
v.)	MAGISTRATE JUDGE
)	WILLIAM H. BAUGHMAN, JR.
JOHN KERRY, <i>et al.</i> ,)	
)	<u>REPORT & RECOMMENDATION</u>
Defendants.)	

This matter came before me on referral to conduct a case management conference. I conducted that conference on November 26, 2013. Prior to the conference, the defendants had filed a motion to dismiss¹ and counsel had filed a joint motion to excuse compliance with Federal Rule of Civil Procedure 26(f).²

At the conference, counsel advised me of their consensus that the motion to dismiss does not require any discovery and should be ruled upon before any discovery takes place in this case. They jointly, therefore, ask that a case management plan and order not be entered at this time.

Also, counsel advised me of the likelihood of another adjudication that would resolve this case. They suggested that such adjudication would make it unnecessary to rule on the motion to dismiss.

¹ ECF # 11.

² ECF # 12.

12/11/2013 - ORDER ADOPTING
REPORT AND RECOMMENDATION.
IT IS SO ORDERED.
/S/SOLOMON OLIVER, JR.
CHIEF JUDGE
UNITED STATES DISTRICT COURT

Accordingly, I have not entered a case management plan and order. I recommend that the joint motion to excuse compliance with Federal Rule of Civil Procedure 26(f) be granted. Further, I recommend that to the extent appropriate, the Court grant joint motions for extension of time to file a brief in opposition to the motion to dismiss.

Dated: November 27, 2013

s/ William H. Baughman, Jr.
United States Magistrate Judge

Objections

Any objections to this Report and Recommendation must be filed with the Clerk of Courts within fourteen (14) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the District Court's order.³

³ See, *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). See also, *Thomas v. Arn*, 474 U.S. 140 (1985), *reh'g denied*, 474 U.S. 1111 (1986).